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2 HON. MARSHA J. PECHMAN  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

9 KAREN CARR,

10 Plaintiff,

11 v.

12 SPINNAKER INSURANCE COMPANY,

13 Defendant.

14 NO. 3:23-cv-05252-MJP

**DECLARATION OF ELIOT M.  
HARRIS IN SUPPORT OF  
DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT**

15 I, Eliot Harris, declare as follows:

16 1. I am an attorney of record for the Defendant in this case. I make this declaration  
17 based on personal knowledge, am over the age of eighteen (18), and am competent to testify.

18 2. Attached as **Exhibit 1** is a true and correct copy of excerpts from Plaintiff Karen  
19 Carr's December 18, 2023 deposition transcript.

20 3. Attached as **Exhibit 2** is a true and correct copy of excerpts from Plaintiff Karen  
21 Carr's Facebook Messenger communications with David Scott, identified by Bates Nos.  
22 KC00379Supp-KC00460Supp.

23 4. Attached as **Exhibit 3** is a true and correct copy of the November 29, 2021 paint  
24 contract between David Scott and Plaintiff Karen Carr.

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DECLARATION OF ELIOT M. HARRIS IN SUPPORT OF  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT - 1  
(USDC CASE #3:23-cv-05252-MJP)

Williams, Kastner & Gibbs PLLC  
601 Union Street, Suite 4100  
Seattle, WA 98101-2380  
(206) 628-6600

5. Attached as **Exhibit 4** is a true and correct copy of excerpts from David Scott's February 21, 2024 deposition transcript.

6. Attached as **Exhibit 5** is a true and correct copy of excerpts of Spinnaker's Claim Notes and Inspection Notes, identified by Bates Nos. SIC 000001-000018 and SIC 000264-000264.

7. Attached as **Exhibit 6** is a true and correct copy of relevant excerpts from the Spinnaker Insurance Company Homeowners Insurance Policy, effective November 19, 2021.

8. Attached as **Exhibit 7** is a true and correct copy of the February 2, 2022 coverage letter to Plaintiff Karen Carr from Property Adjuster Nicole Aurich.

THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, SO STATED UNDER PENALTY OF PERJURY FOR THE STATE OF WASHINGTON AND THE UNITED STATES OF AMERICA.

DATED this 7<sup>th</sup> day of March, 2024.

s/Eliot M. Harris

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Eliot M. Harris

DECLARATION OF ELIOT M. HARRIS IN SUPPORT OF  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT - 2  
(USDC CASE #3:23-cv-05252-MJP)

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**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send electronic notification of such filing to all CM/ECF participants.

DATED this 7th day of March, 2024.

s/ Eliot M. Harris

Eliot M. Harris, WSBA # 36590

DECLARATION OF ELIOT M. HARRIS IN SUPPORT OF  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT - 3  
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